

PROPOSED AMENDMENTS TO RULE 957, CALIFORNIA RULES OF COURT

Rule 957. Law School Study in Schools Other Than Those Accredited by the Examining Committee and Instruction in Law by Correspondence and Distance Learning

- (a) A person who seeks to be certified to the Supreme Court for admission in and licensed to practice law in California ~~in accordance with Section 6060(e)(3) of the Business and Professions Code~~ shall receive credit for
 - (1) study in a law school in ~~the United States~~ California other than one accredited by the examining committee established by the Board of Governors of the State Bar of California pursuant to section 6046 of ~~said code~~ the Business and Professions Code only if the law school satisfies the requirements of paragraph (b) ~~or paragraph (c)~~ of this rule; or
 - (2) instruction in law from a correspondence or distance learning law school only if such law ~~the correspondence~~ school requires 864 hours of preparation and study per year for four years and satisfies the requirements of paragraph ~~(d)~~ (c) of this rule; ~~or~~
 - ~~———— (3) study in a law school outside the United States other than one accredited by the examining committee established by the Board of Governors of the State Bar of California pursuant to section 6046 of said code only if the examining committee is satisfied that the academic program of such law school is substantially equivalent to that of a law school qualified under paragraph (b) of this rule.~~
- (b) A law school in this state that is not accredited by the examining committee must
 - (1) be authorized to confer professional degrees by the Bureau for Private Postsecondary and Vocational Education or any agency of the State of California that may succeed to its degree granting authority laws of this state and shall be in compliance with all federal, state and local laws and regulations; and;
 - (2) maintain a regular course of instruction in law, with a specified curriculum and regularly scheduled class sessions; and;
 - (3) require classroom attendance of its students for a minimum of 270 hours a year for at least four years, and further require regular attendance of each student at not less than 80 percent of the regularly scheduled class hours in each course in which such student was enrolled and maintain attendance records adequate to determine each student's compliance with such requirements; and;

- (4) ~~Provide maintain in a fixed location,~~ physical facilities capable of accommodating the classes scheduled for that location and administrative offices; and;
- (5) have an adequate administrative staff and faculty of instructors in law, provided that the faculty will prima facie be deemed adequate if at least 80 percent of the instruction in each academic period is by persons who ~~possess on or more~~ are either of the following qualifications:
- (i) ~~admission~~ admitted to the general practice of law in any jurisdiction of the United States, or
 - (ii) is a judge of a United States jurisdiction court or a court of record in any jurisdiction of the United States, or
 - (iii) graduated ~~graduation~~ from a law school accredited by the examining committee.
- (6) own and maintain a library consisting of materials specified by the examining committee and approved by the Board of Governors of The State Bar of California, ~~not less that the following sets of books, all of which shall be current and complete:-~~
- ~~(1) the published reports of the decisions of California courts, with advance sheets and citator;~~
 - ~~(ii) a digest or encyclopedia of California law;~~
 - ~~(c) an annotated set of California codes;~~
 - ~~(iv) a current, standard text or treatise for each course or subject in the curriculum of the school for which such a text or treatise is available, ;and~~
- (7) establish and maintain standards for academic achievement, advancement in good standing and graduation and provide for periodic testing of all students to determine the quality of their performance in relation to such standards; and
- (8) register with the examining committee on a form supplied by the examining committee and pay such reasonable registration fee as may be established by the examining committee and approved by the Board of Governors of The State Bar of California , and maintain and file such records, ~~(available for inspection by the examining committee)~~ and file with the examining committee such reports, notices and certifications, as may be required by

the rules of the examining committee and make them available for inspection by the examining committee or representatives of the examining committee upon reasonable notification; and

- (9) annually file a report with the examining committee on a form provided by the examining committee, accompanied by a fee specified in the schedule of law school fees adopted by the examining committee and approved by the Board of Governors of The State Bar of California. The report shall include information relative to the school's student body, faculty, curriculum and educational program, financial policies, testing and grading policies, and such other information and documentation that may be reasonably required to demonstrate the school's compliance with this rule, the rules of the examining committee and with Section 6061 of the Business and Professions Code; and
 - (10) publish the number and percent of students who have taken and who have passed the First-Year Law Students' Examination and the final bar examination as required by Section 6061 of the Business and Professions Code in the format used by the examining committee for its publication of examination statistics; and
 - (11) maintain equality of opportunity in its program of study without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation, except insofar as such action is protected by the Constitution of the state of California.
 - (12) The examining committee may make such inspection of law schools not accredited by the committee as may be necessary or proper to effectuate the provisions of section 6060 of the Business and Professions Code, of this rule and of the rules of the examining committee.
- (c) ~~A law school in the United States that is outside the state of California and is not accredited by the examining committee must~~
- (1) ~~be authorized to confer professional degrees by the law of the state in which it is located;~~
 - (2) ~~comply with subparagraphs (2), (3), (4), (5), (7), and (8) of paragraph (b) of this rule; and~~
 - (3) ~~own and maintain a library that is comparable in content to that specified in subparagraph (6) of paragraph (b) of this rule.~~

Correspondence and Distance Learning Law Schools

- (~~d~~ 1) be authorized to confer professional degrees by the Bureau for Private Postsecondary and Vocational Education or any agency of the State of California that may succeed to its degree granting authority laws of this state and shall be in compliance with all federal, state and local laws and regulations; and,
- (2) maintain a regular course of instruction in law, with a specified curriculum; and,
- (3) require a minimum of 864 hours of study and preparation each year for at least four years and maintain records adequate to determine each student's compliance with such requirements; and,
- (4) have an adequate administrative staff and faculty of instructors in law; and,
- (5) establish and maintain standards for academic achievement, advancement in good standing and graduation and provide for periodic testing of all students to determine the quality of their performance in relation to such standards; and
- (6) (d) It is the duty of a correspondence law school to register with the examining committee on a form supplied by the examining committee and pay such reasonable registration fee as may be established by the examining committee and approved by the Board of Governors of The State Bar of California, maintain and file such reports, notices and certifications as may be required by the rules of the examining committee concerning any person whose mailing address is in the state of California or whose application to, contract with, or correspondence with or from the law school indicates that the instruction by correspondence is for the purpose or with the intent of qualifying that person for admission to practice law in California. and make them available for inspection by the examining committee or representatives of the examining committee upon reasonable notification; and,
- (7) annually file a report with the examining committee on a form provided by the examining committee, accompanied by a fee specified in the schedule of law school fees adopted by the examining committee and approved by the Board of Governors of The State Bar of California. The report shall include information relative to the school's student body, faculty, curriculum and educational program, financial policies, testing and grading policies, and such other information and documentation that may be reasonably required to demonstrate the school's compliance with this rule, the rules of the examining committee and with Section 6061 of the Business and Professions Code; and,

- (8) publish the number and percent of students who have taken and who have passed the First-Year Law Students' Examination and the final bar examination as required by Section 6061 of the Business and Professions Code in the format used by the examining committee for its publication of examination statistics; and,
- (9) maintain equality of opportunity in its program of study without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation, except insofar as such action is protected by the Constitution of the state of California.
- (10) ~~(e)~~ The examining committee may make such inspection law schools not accredited by the committee or of correspondence law schools and distance learning law schools as may be necessary or proper to effectuate the provisions of section 6060 of the Business and Professions Code and of this rule and the rules of the examining committee.
- ~~(f) This rule shall not apply to any person who, on the effective date of the rule, had commenced the study of law in a manner authorized by section 6060(e) of the Business and Professions Code and registered as a law student prior to January 1, 1976 (as provided in section 6060(d) of the Business and Professions Code) and otherwise satisfies the requirements of section 6060(e) of the Business and Professions Code; provided that after January 1, 1976 credit shall be given such person for any study in an unaccredited law school or by correspondence only if the school complies with the requirements of paragraph (b)(8) or paragraph (d) of this rule, whichever is applicable and permits inspection as provided in paragraph (e) of this rule.~~

(d) Authority of the Examining Committee

Subject to approval by the Board of Governors of The State Bar of California, the examining committee may adopt such reasonable rules and regulations as are necessary for the purpose of ensuring compliance with this rule, including withdrawal of a school's registration if a school is found to be in non-compliance with the rules, this rule or the provisions of Section 6061 of the Business and Professions Code or provides false or misleading information. The rules shall provide for adequate notice to a school that is believed to be in non-compliance with the rules, this rule or Section 6061 of the Business and Professions Code or which has allegedly provided false or misleading information and, prior to any sanctions being imposed by the examining committee on a school, the opportunity for a hearing before the examining committee or a subcommittee designated by the examining committee for this purpose.